

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) 2:14-CR-0097-JAD-(PAL)  
 )  
MITCHELL GARSHOFSKY, )  
 )  
Defendant. )

**AMENDED PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on April 2, 2014, defendant MITCHELL GARSHOFSKY pled guilty to a One-Count Criminal Information charging him with Operating an Illegal Gambling Business in violation of Nevada Revised Statutes 463.160, 463.430, and 464.070; and Title 18, United States Code, Section 1955. Criminal Information, ECF No. 45; Change of Plea Minutes, ECF No. 51; Plea Agreement, ECF No. 47.

This Court finds defendant MITCHELL GARSHOFSKY agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information. Criminal Information, ECF No. 45; Change of Plea Minutes, ECF No. 51; Plea Agreement, ECF No. 47.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture

...

1 Allegations of the Criminal Information and the offenses to which defendant MITCHELL  
2 GARSHOFSKY pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
4 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 18, United States Code,  
5 Section 1955(d) and Title 28, United States Code, Section 2461(c):

6 \$244,108.88 in United States Currency (“property”).

7 This Court finds the United States of America is now entitled to, and should, reduce the  
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
10 United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
12 MITCHELL GARSHOFSKY in the aforementioned property is forfeited and is vested in the United  
13 States of America and shall be safely held by the United States of America until further order of the  
14 Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
16 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
17 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
18 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
19 name and contact information for the government attorney to be served with the petition, pursuant to  
20 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
22 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
23 the validity of the petitioner’s alleged interest in the property, which petition shall be signed by the  
24 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
25 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner’s

26 . . .

1 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
2 petition and the relief sought.


3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than  
5 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days  
6 after the first day of the publication on the official internet government forfeiture site,  
7 www.forfeiture.gov.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
9 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
10 following address at the time of filing:

11 Michael A. Humphreys  
12 Assistant United States Attorney  
13 Daniel D. Hollingsworth  
14 Assistant United States Attorney  
15 Lloyd D. George United States Courthouse  
16 333 Las Vegas Boulevard South, Suite 5000  
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
19 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
20 following publication of notice of seizure and intent to administratively forfeit the above-described  
21 property.

22 Dated: May 23, 2014.

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UNITED STATES DISTRICT JUDGE